

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADJUSTACAM LLC

PLAINTIFF,

v.

AMAZON.COM, INC.;
AUDITEK CORPORATION;
BALTIC LATVIAN UNIVERSAL
ELECTRONICS, LLC D/B/A BLUE
MICROPHONES, LLC D/B/A BLUE
MICROPHONE;
BLUE MICROPHONES, LLC;
CDW CORPORATION F/K/A CDW
COMPUTER CENTERS, INC.;
CDW, INC.;
COBRA DIGITAL, LLC;
COMPUSA.COM, INC.;
CREATIVE TECHNOLOGY LTD.;
CREATIVE LABS, INC.;
DELL, INC.;
DIGITAL INNOVATIONS, LLC;
EASTMAN KODAK COMPANY;
EZONICS CORPORATION D/B/A EZONICS
COPORATION USA D/B/A EZONICS;
FRY'S ELECTRONICS, INC.;
GEAR HEAD, LLC;
HEWLETT-PACKARD COMPANY;
INTCOMEX, INC.;
JASCO PRODUCTS COMPANY LLC D/B/A
JASCO PRODUCTS COMPANY D/B/A
JASCO;
JWIN ELECTRONICS CORPORATION;
KLIP XTREME LLC;
KMART CORPORATION;
LIFEWORKS TECHNOLOGY GROUP, LLC;
MACALLY PERIPHERALS, INC. D/B/A
MACALLY U.S.A;
MACE GROUP, INC.;
MICRO ELECTRONICS, INC. DBA MICRO
CENTER;
NEW COMPUSA CORPORATION;

Civil Action No. 6:10-cv-329-LED

**DEFENDANT DIGITAL
INNOVATIONS, LLC'S MOTION
FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE
PLEAD**

NEWEGG, INC.;
NEWEGG.COM, INC.;
OFFICE DEPOT, INC.;
OVERSTOCK.COM, INC.;
PHOEBE MICRO INC.;
PROLYNKZ, LLC;
RADIOSHACK CORPORATION;
ROSEWILL INC.;
SEARS BRANDS, LLC;
SEARS HOLDINGS CORPORATION D/B/A
SEARS
SEARS, ROEBUCK AND COMPANY;
SAKAR INTERNATIONAL, INC.;
SAKAR, INC.;
SDI TECHNOLOGIES, INC.;
SOFTWARE BROKERS OF AMERICA INC.
DBA INTCOMEX CORPORATION D/B/A
INTCOMEX;
SYSTEMAX, INC. D/B/A COMPUSA;
TARGET CORP.;
TIGERDIRECT, INC.;
TRIPPE MANUFACTURING COMPANY
D/B/A TRIPP LITE;
WAL-MART STORES, INC.;
BEST BUY CO., INC. D/B/A BEST BUY
D/B/A ROCKETFISH;
BEST BUY STORES, LP;
BESTBUY.COM, LLC;
CONN' S, INC. D/B/A CONN' S;
J&R ELECTRONICS, INC. D/B/A J&R;
KOHL'S CORPORATION D/B/A KOHL'S;
KOHL'S ILLINOIS, INC.;
SOLID YEAR CO., LTD. AND
WALGREEN CO. D/B/A WALGREENS,

DEFENDANTS.

JURY TRIAL DEMANDED

**DEFENDANT DIGITAL INNOVATIONS, LLC'S
MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant Digital Innovations, LLC (“Digital Innovations”), by and through its undersigned counsel, respectfully moves this court for an extension of time to December 16, 2010 to answer or otherwise respond to Plaintiff Adustacam LLC’s (“Adjustacam”) Amended Complaint.

Prior to filing this motion, Kenneth K. Dort, counsel for Digital Innovations, conferred with John Edmonds, counsel for Adjustacam, by telephone on Wednesday, November 10, 2010. After taking the matter under consideration, Adjustacam has neither opposed nor consented to the 30-day extension requested by this motion.

In support of its motion, Digital Innovations states the following:

1. The amended complaint in this matter was filed on August 16, 2010.
2. On October 26, 2010, Adjustacam served its amended complaint on Digital Innovations.
3. In accordance with Fed. R. Civ. P. 12(a)(1)(A)(i), Digital Innovations’ answer is currently due on November 16, 2010.
4. In order to evaluate and prepare an adequate response to Adjustacam’s amended complaint, Digital Innovations respectfully requests a 30-day extension of time to December 16, 2010.
5. This is Digital Innovations’ first request for an extension of time. The request is made in good faith, and granting the request will not unreasonably delay the progress of this lawsuit or materially prejudice either party.

WHEREFORE, for the reasons given above, Digital Innovations respectfully requests that the Court grant it an extension of time until and including December 16, 2010 to file its response to Adjustacam's amended complaint.

Respectfully submitted,

s/ Phillip B. Philbin

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Pro hac vice admission pending

ATTORNEYS FOR DIGITAL INNOVATIONS

CERTIFICATE OF CONFERENCE

Prior to filing this motion, Kenneth K. Dort, counsel for Digital Innovations, conferred with John Edmonds, counsel for Adjustacam, by telephone on Wednesday, November 10, 2010. After taking the matter under consideration, Adjustacam has neither opposed nor consented to the 30-day extension requested by this motion.

s/ Kenneth K. Dort

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME** which was filed electronically with the court through the ECF system on November 15, 2010 will be sent electronically to the following registered counsel of record as identified on the Notice of Electronic Filing ("NEF"):

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s/Phillip B. Philbin